

1 BARRY J. PORTMAN
Federal Public Defender
2 JOHN PAUL REICHMUTH
Assistant Federal Public Defender
3 555 - 12th Street
Suite 650
4 Oakland, CA 94607-3627
Telephone: (510) 637-3500
5
Counsel for Defendant DIAZ CARRILLO
6

7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,)	No. CR-09-01076-PJH (LB)
)	
12 Plaintiff,)	STIPULATION TO CONTINUE;
)	PROPOSED ORDER CONTINUING
13 vs.)	CASE AND EXCLUDING TIME UNDER
)	THE SPEEDY TRIAL ACT
14 ARTURO DIAZ CARRILLO,)	
)	
15 Defendant.)	
_____)	
16		

17 IT IS HEREBY STIPULATED, by and between the parties to this action, that the TRIAL
18 OR MOTIONS SETTING OR DISPOSITION HEARING date of May 7, 2010 presently
19 scheduled at 10:00 a.m., before the Hon. Laurel Beeler, be vacated and re-set for May 27, 2010
20 at 9:30 a.m., before the Oakland Duty Magistrate, for TRIAL OR MOTIONS SETTING OR
21 DISPOSITION HEARING.

22 The reason for this request is that defense counsel is presently reviewing newly provided
23 discovery and needs additional time to investigate and analyze it.

24 The parties agree and stipulate that the time until May 27, 2010 should be excluded,
25 under 18 U.S.C. §3161(h)(7)(A) because the ends of justice served by the granting of the
26 continuance outweigh the best interests of the public and the defendant in a speedy and public

1 trial. The continuance is necessary to accommodate counsel's preparation efforts.

2
3 Date 5/06/10 /s/
4 John Paul Reichmuth
5 Assistant Federal Public Defender
6 Counsel for defendant DIAZ CARRILLO

7 Date 05/06/10 /s/
8 Trevor L. Rusin
9 Assistant United States Attorney

10 I hereby attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/S/) within this efiled document.

/S/ John Paul Reichmuth
Counsel for Defendant Diaz-Carrillo

ORDER

The court finds that the ends of justice served by the granting of the continuance outweigh the best interests of the public and the defendant in a speedy and public trial. The continuance is necessary to accommodate counsel's preparation efforts and continuity of counsel. Based on these findings, IT IS HEREBY ORDERED THAT the above-captioned matter is continued to May 27, 2010 at 9:30 a.m., before the Oakland Duty Magistrate, and that time is excluded from May 7, 2010 until May 27, 2010 pursuant to 18 U.S.C. § 3161(h)(7)(a).

IT IS SO ORDERED.

May 7, 2010
Date



LAUREL BEELER
UNITED STATES MAGISTRATE JUDGE